

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12360 of 2018

Arising Out of PS.Case No. -76 Year- 2016 Thana -KHANPUR District- SAMASTIPUR

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1. Ram Bahadur Singh, son of late Satan Mahto
2. Ram Ratan Mahto, son of late Mathur Mahto @ Methu Mahto
3. Vikash Mahto @ Vikash, son of Lakhan Kumar Mahto

All are resident of village Milki, P.S. Khanpur, Distt. Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Khanpur P.S. Case No. 76 of 2016** instituted for the offence under Sections 342, 323, 325, 354 and 504/34 of the Indian Penal Code.

As per prosecution case, 25-30 persons surrounded the house of the informant when he was taking rest. It is alleged that these petitioners along with Munna Thakur caught the informant and tied him with Mango tree of Bindeshwar Rai and started assaulting. It is alleged that when wife of the informant came to save him she was also assaulted by the petitioners. Thereafter, nine months' pregnant daughter of the informant came to save she was also assaulted by the accused namely, Ram Ratan



Mahto. The informant was assaulted with fists and slaps on the chest by Munna Thakur and Ram Bahadur Singh.

Learned counsel for the petitioners has enclosed the injury report of the informant and his wife as Annexure-2 series wherein the Doctor has mentioned complain of vague pain over body of both the injured. It has further been submitted that there is no injury sustained by daughter of the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Khanpur P.S. Case No. 76 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-III, Samastipur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners



tamper with the evidence or the witnesses of the case, in that case,
prosecution will be at liberty to move for cancellation of bail of
the petitioners.

(Sanjay Priya, J)

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